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Public Comments Submitted to the Rockefeller Institute

Re: New York State Foundation Aid Formula

September 6, 2024

On behalf of the Center for Independence of the Disabled, New York (CIDNY), thank you for the opportunity to submit comments regarding the Foundation Aid formula. Since its founding in 1978, CIDNY's goal has been to ensure full integration, independence, and equal opportunity for all people with disabilities by removing barriers to the social, economic, cultural, and civic life of the community.

A cornerstone of that process is ensuring that students with disabilities are provided an education that adequately and equitably supports their needs.

We appreciate that Governor Hochul and the State Legislature fully funded the Foundation Aid formula for the first time in 2023; this funding was needed and long overdue. However, over the past 17 years, the needs of students, especially those with disabilities, have changed. Diagnostic criteria, supports and practices provided by related services, and teaching methodologies have all evolved, as have the overall demographics that make up the NYC population of students with disabilities. This shift is demonstrated in part by the rising concern over what has been deemed by parents, teachers, advocates, legislators, the NYC Department of Education, and Mayor Adams as a student mental health crisis. The current Foundation Aid formula does not reflect this changing educational landscape.

Among other challenges, the Foundation Aid formula has not kept pace with rising costs; does not provide any additional funding to address the needs of students in temporary housing or students in the foster system; does not provide per pupil funding for our youngest students in 3-K and Pre-K; does not adequately account for the needs of English Language Learners (ELLs), low-income students, and as stated above, the needs of students with disabilities.

In addition, the formula does not account for recent increased needs including the new class size requirements in NYC pursuant to state law; the expiration of federal stimulus funding that had been used for a range of important programs, services, and staff positions in New York City ranging from social workers to community schools to literacy programs to support for students with disabilities, ELLs, and students in temporary housing that are still needed; and the enrollment of around 40,000 newly arrived students in temporary housing in NYC schools over the past couple of years.

While New York City and New York State contributed roughly the same amount to the New York City Public Schools (NYCPS) budget two decades ago, the City is now contributing around 57% of the cost of the NYCPS budget while the State is paying only 37%. The State has an obligation to step up and do its part to contribute more to the education of NYC students.

The Foundation formula should be updated to reflect the real cost of educating students today, so that every public school has the resources it needs to support all students. Any changes to the formula must be made on the basis of how much it costs to ensure schools are getting the resources to meet their students' needs. Updates to the formula must focus on equity and ensure districts have the resources needed to provide a high-quality education to low-income students, ELLs, students in temporary housing, students in the foster system, and students with disabilities.

Our recommendations include the following:

- **Replace the outdated “successful school district model” that has formed the base of the formula.** This model is based on the narrow view that successful school districts are those where students perform well on standardized tests, with insufficient consideration to the needs of large urban districts. The State must ensure the new base rate reflects the actual cost of providing the academic, social-emotional, and holistic supports students need to succeed in school, including in large urban districts, with particular attention to students from low-income backgrounds, students with disabilities, English Language Learners, students who are homeless, and students in the foster system.
- **Reexamine the existing poverty weight to ensure the needs of students from low-income communities are accurately represented.** It is not sufficient to merely update Census data and the number of students eligible for free or reduced-price lunch; the State should explore alternative, more robust measures of poverty and economic disadvantage, including considering differentiated weights for different concentrations of poverty.
- **Add a per-pupil weight for students in temporary housing and students in the foster system.** More than 119,000 New York City students—roughly one in every nine—experienced homelessness in 2022–23 (the most recent year for which data are available), and 6,800 students spent time in the foster system. At present, the Foundation Aid formula does not provide any additional funding to help schools support these student populations, both of whom face tremendous obstacles to success in school and have educational needs distinct from those of all students in poverty.
- **Increase the weights for students with disabilities and ELLs to ensure they reflect the cost of providing legally required, high-quality classes, services, and supports and are adequate to address the wide spectrum of student needs.** This includes considering differentiated weights by program to better account

for the tremendous diversity within both groups of students, neither of which is a monolith.

- **Update the Regional Cost Index to better reflect the rising costs of salaries and services.** This metric has been fixed since 2006 and is thus significantly out of date, particularly given increased expenses in New York City.
- **Provide resources to implement the State's new class size requirements.** The New York City Independent Budget Office (IBO) has estimated that NYCPS will need between \$1.6 and \$1.9 billion annually to achieve full compliance with the law by the 2028 deadline, given the significant hiring needs associated with reducing class size—yet the State has allocated *no* additional funding to help NYCPS meet this legislative mandate, which applies to New York City alone.
- **Include funding for students in 3-K and Pre-K, as well as students with disabilities through the school year they turn 22.** Over the past decade, New York City has dramatically expanded access to early childhood education. The Foundation Aid formula, however, only covers grades K–12, a holdover from an earlier era in which a child's educational career was typically thought to begin at age five or six. Numerous studies have demonstrated the long-term benefits of high-quality preschool, and the Foundation Aid formula should be updated to reflect the needs of a unified P–12 system. While the State contributes to the cost of Pre-K for four-year-old students in New York City, the City is shouldering the entire cost of 3-K for three-year-old students on its own. In addition, the State recently affirmed that districts have a legal obligation to provide special education programs and services to students with disabilities until they turn 22 if they have not yet graduated, but the Foundation Aid formula does not provide funding for these students.

Thank you for the opportunity to submit comments on behalf of CIDNY. We urge you to include these recommendations in the Foundation Aid formula report.

Sincerely,

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